

TEMPORARY

Serial No. 56141T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 3 - 1991

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant Otis and Marilyn Tipton

P.O. Box 1555 of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Humboldt River Decree Proof No. 00370
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is Stoffer Creek a.k.a. Tenmile Creek
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.12 c.f.s. - 28.47 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for "As Decreed" Purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for "As Decreed" purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) of Section 30,
Describe as being within a 40-acre subdivision of public survey and by course and
Township 33 North, Range 57 East, M.D.B.&M., at a point from which the
distance to a section corner. If on unsurveyed land, it should be stated.
Northwest Corner of said Section 30, bears North 19° 56' 15" West a distance of
1986.45 feet.
- The existing permitted point of diversion is located within SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 33
If point of diversion is not changed, do not answer.
North, Range 57 East, M.D.B.&M., as shown on the decree culture map.
- Proposed place of use. (See #15) "As Decreed"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use. "As Decreed" (See #15)
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from "As Decreed" to "AS Decreed" of each year.
Month and Day Month and Day
- Use was permitted from "As Decreed" to "As Decreed" of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Diversion structure and ditch system to
State manner in which water is to be diverted, i.e. diversion structure,
place of use.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works Existing.
- Estimated time required to construct works None - existing

14. Estimated time required to complete the application of water to beneficial use.....Two years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The original Point of Diversion is located off the Tipton property, the New Point of Diversion is located on the Tipton property and is more convenient. It has been determined by utilizing the percentage method that 9.49 acres - (Harvest) of decreed water rights are appurtenant to the Tipton property.

By.....s/ Marilyn Tipton
P.O. Box 1555
Elko, Nevada 89801

Compared.....am/se.....am/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of the waters of Stoffer Creek as heretofore appropriated under Proof 00370 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 17, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.12.....cubic feet per second, and not to exceed 28.47 acre-feet, as decreed, and not to exceed a duty of 3.0 acre-feet, as decreed, per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this.....18th.....day of.....June.....,

A.D. 19.....91.....
[Signature]
State Engineer

TEMPORARY
EXPIRED
DATE JUN 17 1992